IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 16TH NOVEMBER 2006 / 25TH KARTHIKA 1928

WP(C).No. 30211 of 2006(V)

PETITIONER:

M.ABDUL MAJEED, S/O.MUHAMMED,
AGED 41 YEARS, SECRETARY OF EDAKKARA FOOT PATH ASSOCIATION, P.O.EDAKKARA, MALAPPURAM.

BY ADV. SRI.M.K.SUMOD
SRI.KAUSER EDAPPAGATH
SRI.P.K.MOHAMED JAMEEL
SMT.A.LOWSY

RESPONDENTS:
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1. THE SECRETARY,
EDAKKARA GRAMA PANCHAYAT, P.O.EDAKKARA,
MALAPPURAM DISTRICT.

2. THE EDAKKARA GRAMA PANCHAYAT BOARD,
REP. BY THE SECRETARY, EDAKKARA GRAMA PANCHAYAT,
P.O.EDAKKARA, MALAPPURAM DISTRICT.

3. THE SECRETARY,
LOCAL SELF GOVERNMENT, STATE OF KERALA,
THIRUVANANTHAPURAM.

BY SR GOVERNMENT PLEADER SRI.MATHEW G.VADAKKEL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE,J.

W.P.(C) NO. 30211 OF 2006

Dated this the 16th day of November, 2006

J U D G M E N T

The petitioner, who is the Secretary of the Food Path Association is aggrieved by Exhibit P5 order passed by the Secretary of the Panchayat on the basis of the resolution taken by the Panchayat council itself. The petitioner contends that the conditions for relocation and rehabilitation of street vendors as contained in Exhibit P1 National Policy of Urban Street Vendors have not been followed. Petitioner has a further contention that the directions in Exhibit P4 judgment of this court have not been faithfully complied with in the context of Exhibit P5.

2. I do not propose to examine the grievance. The petitioner has an effective remedy by way of appeal to the Tribunal for Local Self Government Institutions. I relegate the petitioner to that remedy.

3. Writ Petition will stand disposed of accordingly.

There will however be a direction that coercive action will not be taken for implementing Exhibit P5 for a period of one month from today.

PIUS C.KURIAKOSE, JUDGE

Rp